

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC,)	Case No. 10-93904-BHL-11
)	
Debtor.)	Hon. Basil H. Lorch III

**TENTH INTERIM AND FINAL APPLICATION OF JAMES A. KNAUER FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES
AS CHAPTER 11 TRUSTEE**

James A. Knauer, the Chapter 11 Trustee appointed in this case ("Trustee") hereby makes his tenth interim and final application ("Application") for the allowance and payment of his fees incurred as Trustee and for reimbursement of out-of-pocket expenses advanced by the Trustee. In support of this Application, the Trustee states as follows:

1. Petitioning creditors commenced the above-captioned chapter 11 case ("Chapter 11 Case") against Debtor on December 6, 2010 ("Petition Date") by filing an involuntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. ("Bankruptcy Code"). This Court entered its *Order For Relief In Involuntary Case And Order To Complete Filing* [Docket #110] on December 28, 2010.

2. On December 27, 2010, the Court entered its *Order Approving The Appointment Of James A. Knauer As Chapter 11 Trustee* [Docket #102] ("Trustee Order"), approving the United States Trustee's *Notice Of Appointment And Application for Order Approving Appointment of Trustee* [Docket #98] pursuant to 11 U.S.C. § 1104.

3. This Application seeks final allowance of the fees and expenses approved by this Court on an interim basis for the time period December 27, 2010 through July 31, 2017 (the "Interim Compensation Period"); final allowance of the fees and expenses charged and incurred by the Trustee since his last application period which ended on July 31, 2016 (the "Current Compensation Period"); and an order directing that all

amounts approved by this Court and remaining unpaid or not reimbursed to the Trustee be paid by the Trustee.

4. Following his appointment by the United States Trustee, the Trustee has performed a variety of services, all of which are described in detail in the billing statements attached as Exhibit A.

5. Exhibit A provides the detail of the time and hourly billing rate for the Trustee. A summary of the fees requested by the Trustee and the number of hours worked, the billing rate requested and the total fees claimed during the Current Compensation Period is set forth below:

Task Description	Hours	Value
<u>1 -Asset Analysis and Recovery</u>	0.00	\$0.00
<u>2 -Asset Disposition</u>	0.00	\$0.00
<u>3 -Business Operations</u>	0.00	\$0.00
<u>4 - Case Administration</u>	5.60	\$2,660.00
<u>5 -Claims Administration And Objections</u>	0.00	\$0.00
<u>6 - Fee/Employment Applications</u>	0.00	\$0.00
<u>7 -Financing</u>	0.00	\$0.00
<u>8 -Litigation</u>	0.00	\$0.00
<u>9 -Relief from Stay Proceedings</u>	0.00	\$0.00
<u>10 -Litigation Consulting</u>	16.60	\$7,885.00
<u>11 -Travel</u>	0.00	\$0.00
<u>No Charge</u>	0.00	\$0.00
<u>Total</u>	22.20	\$10,545.00

6. The Trustee has advanced the sum of \$173.15 for out-of-pocket expenses incurred in connection with this case during the Current Compensation Period. A summary of the out-of-pocket expenses incurred by the Trustee is set forth at the end of Exhibit A.

7. The Trustee previously submitted his First Application for Interim Compensation as allowed the sum of \$128,673.00, plus reimbursement for expenses of \$17,755.65. Following the Trustee's Second Application for Interim Compensation, he

was allowed the sum of \$48,328.50 as fees and reimbursement of expenses of \$8,420.15. Following the Trustee's Third Application for Interim Compensation, he was allowed the sum of \$210,628.25 as fees and reimbursement of expenses of \$2,608.92. Following the Trustee's Fourth Application for Interim Compensation, he was allowed the sum of \$53,200.00 as fees (minus the 20% holdback) and reimbursement of expenses of \$1,756.00. Following the Trustee's Fifth Application for Interim Compensation, he was allowed the sum of \$65,740.00 as fees (minus the 20% holdback) and reimbursement of expenses of \$3,434.09. Following the Trustee's Sixth Application for Interim Compensation, he was allowed the sum of \$55,527.50 as fees (minus the 20% holdback) and reimbursement of expenses of \$1,778.94. Following the Trustee's Seventh Application for Interim Compensation, he was allowed the sum of \$22,467.50 as fees (minus the 20% holdback) and reimbursement of expenses of \$646.20. Following the Trustee's Eight Application for Interim Compensation, he was allowed the sum of \$22,135.00 as fees (minus the 20% holdback) and reimbursement of expenses in the amount of \$73.76 and \$412.50. Following the Trustee's Ninth Application for Interim Compensation, he was allowed the sum of \$11,970.00 as fees (minus the 20% holdback) and reimbursement of expenses of \$154.38. This Application is the Tenth Interim and Final Application of the Trustee.

8. The Trustee requests final compensation for all monies that were previously part of the 20% Hold Back for the Interim Compensation Period.

<u>Application</u>	<u>Trustee Fees</u>	<u>Trustee Expenses</u>	<u>20% Hold Back</u>
1st Fee App	\$128,673.00	\$17,755.65	\$25,735.00
2nd Fee App	\$48,328.50	\$8,420.15	\$9,666.00
3rd Fee App	\$210,628.25	\$2,608.92	\$42,126.00
4th Fee App	\$53,200.00	\$1,756.00	\$10,640.00
5th Fee App	\$65,740.00	\$3,434.09	\$13,148.00
6th Fee App	\$55,527.50	\$1,778.94	\$11,106.00
7th Fee App	\$22,467.50	\$646.20	\$4,494.00
8th Fee App	\$22,135.00	\$486.26	\$4,427.00
9th Fee App	\$11,970.00	\$154.38	\$2,394.00
			\$123,734.00

9. No agreement or understanding exists between the Trustee and any other person or entity for the sharing of compensation received for services rendered in connection with this case, except his law firm.

10. All services rendered and all expenses incurred for which compensation or reimbursement is sought have been rendered or incurred exclusively by the Trustee and represent necessary and proper services rendered in the administration of this Chapter 11 Case.

11. All contested disputes have been resolved or resolutions are pending before this Court and the Trustee continues to collect settlement payments for determining a final distribution to creditors. The Trustee will continue to provide certain limited services following this final Application to complete this Chapter 11 Case including seeking a final decree and closure of this Chapter 11 Case. Such fees and expenses incurred after this final Application shall be considered for payment by the Trustee and paid from the assets of the estate without further Court review.

THEREFORE, the Trustee requests (i) the Court award the amount of \$123,734.00 as final compensation relating to the 20% Holdback during the Interim Compensation Period; (ii) the Court award compensation to the Trustee on account of his work in the case in the amount of \$10,545.00 plus reimbursement for out-of-pocket expenses incurred in the amount of \$173.15 for the Current Compensation Period and (ii) grant the Trustee all other just and proper relief.

Respectfully submitted,

KROGER, GARDIS & REGAS, LLP

By: /s/ James A. Knauer

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CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2017, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on November 6, 2017, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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